AMENDMENTS TO THE CLAIMS

1-3 (Canceled)

4. (Previously Presented) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from reaching said eyepiece,

wherein said light shield device comprises a light shield mask fixed to said incident surface of said erecting optical system, said light shield mask including an aperture which allows image forming light to pass therethrough, said aperture being shaped so as to be asymmetrical with respect to an optical axis incident on said incident surface of said erecting optical system.

5. (Original) The surveying instrument according to claim 4, wherein a first length of said aperture from the incident optical axis to a first side, at which an optical path length between said incident surface and a first reflection surface of said erecting optical system is shortest, is shorter than a second length of said aperture from the incident optical axis to a second side at which an optical path length between said incident surface and said first reflection surface is longest.

6. (Previously Presented) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from reaching said eyepiece,

wherein said erecting optical system comprises two cemented prisms, and wherein said light shield device comprises a recessed portion formed on a common edge of the cemented surface of the two cemented prisms.

7. (Previously Presented) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from reaching said eyepiece,

wherein said erecting optical system comprises two cemented prisms, and wherein said light shield device comprises a beveled surface formed on a common edge of the cemented surface of the two cemented prisms.

8. (Canceled)

9. (Canceled)

10. (Previously Presented) The surveying instrument according to claim 4, wherein said erecting optical system comprises a Porro prism.

11. (Previously Presented) The surveying instrument according to claim 4, wherein said erecting optical system comprises a roof prism.

12-23 (Canceled)

24. (Previously Presented) The surveying instrument according to claim 4, wherein said sighting telescope comprises a focus adjustment lens positioned between said objective lens and said erecting optical system.

25-27 (Canceled)

28. (Original) The surveying instrument according to claim 10, wherein said Porro prism comprises three right angle prisms.

29. (Canceled)